

United States Department of Agriculture,

OFFICE OF THE SECRETARY.

NOTICE OF JUDGMENT NO. 1634.

(Given pursuant to section 4 of the Food and Drugs Act.)

ADULTERATION OF CANDY.

On February 14, 1912, the United States Attorney for the Eastern District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 43 barrels and 14 cases of candy, remaining unsold in the original unbroken packages and in possession of the Missouri Candy Co., a corporation, St. Louis, Mo., alleging that the product had been shipped, on or about February 3, 1912, by the Dennis Co., Cincinnati, Ohio, and transported from the State of Ohio into the State of Missouri, and charging adulteration in violation of the Food and Drugs Act. Each case was labeled: "Missouri Candy Company—612-618 North 1st St., St. Louis, Mo. Non-Edible." The cartons or packages in the cases bore various labels, among others being the following, to wit: "Sterling Chocolates—Sterling Chocolate Co., Cincinnati." "Nichols, Decatur, Ills. Frozen Chocolates." "McWilliams, Athens, Ala. Athens Special Chocolates." "Piqua Calomiris—Bowling Green, O. Frozen Chocolates." "Radcliffs—Hamilton, O. U. S. Delicious Chocolates." "Miller-Strong's—Niagara Falls—Special Chocolates." "Leases—Cincinnati—Hand rolled Chocolates—The Lease-Massarella Co." "Lynn & Summerfield's—Walnut Ridge, Ark. Frozen Chocolates—Sweeter than Kisses."

Adulteration was charged in the libel for the reason that the product was sold and intended for use as food and contained dirt and dead bugs and in part was covered with yellow mold, and the chocolate appeared to have been and was musty and rancid and the product was dirty, worm-eaten, mouse-eaten, and generally filthy, and by reason thereof was deleterious and detrimental to health.

On April 5, 1912, no claimant for the property having appeared, judgment of condemnation and forfeiture was entered and it was further ordered that the product should be destroyed by the United States marshal.

W. M. HAYS,
Acting Secretary of Agriculture.

WASHINGTON, D. C., June 21, 1912.